

FORM PTO-1390  
(REV 01-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371ATTORNEY'S DOCKET  
NUMBER:

095309.55696US

U.S. APPLICATION NO. (if known, see 37  
CFR 1.51)

10/518361

INTERNATIONAL APPLICATION NO.

PCT/EP2003/004481

INTERNATIONAL FILING DATE

April 30, 2003

PRIORITY DATE CLAIMED

June 21, 2002

TITLE OF INVENTION

DEVICE FOR THE INTAKE AND COMPRESSION OF AT LEAST ONE GAS IN A FUEL CELL SYSTEM

APPLICANT(S) FOR DO/EO/US

Dirk SCHROETER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached herewith.
  - b. ☐ has been previously submitted under 35 USC 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4))
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Item 11. to 20. below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 USC 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 USC 154(d)(4)
20. ☒ Other items or information:
  - a. Cover page of International publication no. WO 2004/001891 A2
  - b. Form PCT/IB/308
  - c. 1 sheet of drawing

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10/518361		PCT/EP2003/004481		095309.55696US	
21. The following fees are submitted:				CALCULATIONS	PTO USE ONLY
				\$ 1000.00	
<input checked="" type="checkbox"/> a) Basic national fee.....				\$300.00	
<input checked="" type="checkbox"/> b) Examination fee.....				\$200.00	
<input checked="" type="checkbox"/> c) Search fee.....				\$500.00	
TOTAL OF ABOVE CALCULATIONS =				\$1000.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each add'l 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	20 - 20 =	0	X \$50.00	\$	
Independent Claims	1 - 3 =	0	X \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1130.00	
<input type="checkbox"/> Applicant claims Small Entity Status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$1130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEE ENCLOSED =				\$1130.00	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> One check in the amount of \$1130.00 for the filing fee is enclosed					
b. <input type="checkbox"/> Please charge my Deposit Account No. <u>05-1323</u> (Attorney Docket No. ==) in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. <u>05-1323</u> . (ATTORNEY DOCKET NO. <u>095309.55696US</u> ) A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Crowell & Moring, LLP				SIGNATURE	
Intellectual Property Group				NAME	
P.O. Box 14300				Richard R. Diefendorf	
Washington, D.C. 20044-4300				Reg. No. 32,390	
Tel. No. (202) 624-2500				December 17, 2004	
Fax No. (202) 628-8844				DATE	
RRD:msy					